

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION

SIMON DERER,	)	Civil Action No. 4:21-cv-0528-JD-TER
	)	
Plaintiff,	)	
	)	
-vs-	)	
	)	<b>ORDER</b>
	)	
CITY OF MYRTLE BEACH, CITY	)	
OF MYRTLE BEACH POLICE	)	
DEPARTMENT, PFC. A. COX, and	)	
PFC. C. TURNER,	)	
	)	
Defendants.	)	
	)	

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Plaintiff originally filed this action in the Horry County Court of Common Pleas, asserting a cause of action for Negligence/Gross Negligence/Reckless Conduct and a cause of action for Violation of the Fourth and Fourteenth Amendments pursuant to 42 U.S.C, § 1983. See Compl. (ECF No. 1-1). Defendants removed the action to this court as alleging a federal questions pursuant to 28 U.S.C. § 1441 and 28 U.S.C. § 1331. See Notice of Removal (ECF No. 1). On July 16, 2021, the parties filed a Stipulation of Dismissal with prejudice of Plaintiff's cause of action for Violation of the Fourth and Fourteenth Amendments pursuant to 42 U.S.C, § 1983. See Stipulation of Dismissal (ECF No. 23). Therein, the parties jointly requested that this case be remanded back to the Horry County Court of Common Pleas for disposition of the remaining state law claim.

Under 28 U.S.C. § 1367(c)(3), a district court may decline to exercise supplemental jurisdiction over state law claims when all claims over which it had original jurisdiction have been dismissed. Based upon the dismissal of the only federal cause of action and with consent of all parties, this case is remanded to the Court of Common Pleas, Horry County, South Carolina.

**IT IS SO ORDERED.**

s/Thomas E. Rogers, III

Thomas E. Rogers, III  
United States Magistrate Judge

July 27, 2021  
Florence, South Carolina